



MINUTES OF THE SOUTH OGDEN CITY COUNCIL MEETING

TUESDAY, AUGUST 15, 2017 – 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL

COUNCIL MEMBERS PRESENT

Mayor James F Minster, Council Members Russell Porter, Sallee Orr, Brent Strate, and Adam Hensley

COUNCIL MEMBERS EXCUSED

Bryan Benard

STAFF MEMBERS PRESENT

City Manager Matt Dixon, Attorney Ken Bradshaw, Parks and Public Works Director Jon Andersen, Fire Chief Cameron West, Police Chief Darin Parke, Assistant City Manager Doug Gailey, Finance Director Steve Liebersbach, and Recorder Leesa Kapetanov

CITIZENS PRESENT

Melvin Taylor, Leon Tillett, Terry Tillett, Nicolle Minster, Robert & Debby Bliss, Jerry Cottrell, Walt Bausman, Robert Hoggan, Robert Higgs, Bruce Richens, Larry Quinn, Joyce Hartman, Carolyn Felder, Chet Acord, Rosette Acord

Note: The time stamps indicated in **blue** correspond to the audio recording of this meeting which can be found at this link <https://www.utah.gov/pmn/files/326845.mp3> or requested from the office of the South Ogden City Recorder.

I. OPENING CEREMONY

A. Call To Order 00:00:09

Mayor Minster called the meeting to order at 6:01 pm and called for a motion to convene.

Council Member Porter moved to convene as the South Ogden City Council, followed by a second from Council Member Strate. In a voice vote Council Members Orr, Porter, Hensley, Strate, and Benard all voted aye.

The mayor pro tem excused Mayor Minster who was not feeling well.

B. Prayer/Moment Of Silence

The mayor led everyone in a moment of silence.

C. Pledge Of Allegiance

Council Member Hensley led the Pledge of Allegiance.

II. PUBLIC COMMENTS

Bruce Richens, resident, spoke during public comments. 00:02:56

III. RECOGNITION OF SCOUTS/STUDENTS PRESENT

There were no scouts or students present at this meeting.

IV. CONSENT AGENDA

A. Approval of July Warrants Register

B. Declaring Certain Items as Surplus to the City's Needs

Discussion: 00:04:42

Motion: 00:05:44

Council Member Orr moved to approve the consent agenda. The motion was seconded by Council Member Porter. The voice vote was unanimous in favor of the motion.

V. PUBLIC HEARING

To Receive and Consider Comments on Franchise Fee Subsidy Transfers From Enterprise Funds

Explanation of franchise fee subsidy transfer, Finance Director Steve Liebersbach 00:06:50

Motion to enter public hearing: 00:09:03

Council Member Hensley moved to recess city council meeting and convene into a public hearing to receive and consider comments on franchise fee subsidy transfers from enterprise funds. The motion was seconded by Council Member Porter. All present voted aye.

Residents who spoke during the public hearing:

Robert Hogan 00:09:55

Bruce Richens 00:13:47

Motion to leave public hearing: 00:16:33

Council Member Porter moved to leave the public hearing and reconvene as the South Ogden City Council in a public meeting. Council Member Orr seconded the motion. The voice vote was unanimous in favor of the motion.

VI. DISCUSSION / ACTION ITEMS

A. Consideration of Resolution 17-32 – Adopting the FY2018 Budget

Discussion: 00:17:00

Motion: 01:08:11

Council Member Porter moved to adopt Resolution 17-32, followed by a second from Council Member Hensley. City Manager Dixon requested the motion be amended to include the language as recommended by City Attorney Bradshaw. Council Member Porter amended his motion, adding that the certified tax rate should be .0029, the utility rates and franchise fees set, and the road fee set as stated in the ???????? (See Attachment A get from Bradshaw.) There was further discussion on the motion by the council. 01:09:50 The motion was seconded by Council Member Hensley. 01:19:23 The mayor called the vote:

Council Member Orr-	Yes
Council Member Porter-	Yes
Council Member Hensley-	Yes
Council Member Strate-	Yes

The motion stood.

B. Consideration of Resolution 17-33 – Approving an Agreement With the Wasatch Front Football League

Discussion: 01:21:15

Motion: 01:21:46

Council Member Hensley moved to approve Resolution 17-33, followed by a second from Council Member Orr. The mayor asked if there was further discussion, and seeing none, he called the vote:

Council Member Hensley-	Yes
Council Member Orr-	Yes
Council Member Porter-	Yes
Council Member Strate-	Yes

Resolution 17-33 was adopted.

C. Consideration of Ordinance 17-18 – Amending the Consolidated Fee Schedule for Utility Rates and Transportation Fee

Discussion: 01:23:22

Motion: 01:25:46

Council Member Porter moved to adopt Ordinance 17-18, amending the consolidated fee schedule for utility rates and transportation fee, using option 2. Council Member Hensley seconded the motion. After determining there was no further discussion, the mayor made a roll call vote:

Council Member Porter-	Yes
Council Member Hensley-	Yes

Council Member Orr- Yes
Council Member Strate- Yes

The motion was upheld.

VII. DISCUSSION ITEM

A. Discussion on Light at 4400 South 01:27:03

VIII. REPORTS

A. **Mayor**– 01:32:21 (The mayor referred to a list from Parks and Public Works Director Jon Andersen. See Attachment B.)

B. City Council Members

Council Member Porter – nothing to report.

Council Member Strate – nothing to report.

Council Member Orr – 01:34:38

Council Member Hensley - 01:35:00

C. **City Manager Dixon** – City Manager Dixon left the meeting after Resolution 17-32 was adopted.

D. **City Attorney** – 01:38:26

IX. COUNCIL COMMUNICATION/DIRECTION TO CITY MANAGER

Mayor Minster asked the council to send an email to Mr. Dixon if they had any concerns.

XII. ADJOURN

Motion to adjourn: 01:39:45

Council Member Porter moved to adjourn, followed by a second from Council Member Strate. The voice vote was unanimous in favor of the motion.

The meeting concluded at 7:41 pm.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Council Meeting held Tuesday, August 15, 2017.


Leesa Kapetanov, City Recorder

December 19, 2017
Date Approved by the City Council

Attachment A

Document Referred To In Motion To Adopt Resolution 17-32

RESOLUTION NO. 17-32

A RESOLUTION OF THE CITY OF SOUTH OGDEN CITY, UTAH, ADOPTING THE BUDGET, TOGETHER WITH ITS ASSOCIATED FORMS, SCHEDULES, AND ATTACHMENTS, FOR SOUTH OGDEN CITY FOR THE FISCAL YEAR FROM JULY 1, 2017 TO JUNE 30, 2018; ADOPTING PAY AND COMPENSATION PLANS AND SCHEDULES FOR EMPLOYEES, APPOINTED AND ELECTED OFFICIALS; RATIFYING AND READOPTING THE CITY'S ADMINISTRATIVE CODE; MAKING CERTAIN AMENDMENTS TO THE CITY'S CONSOLIDATED FEE SCHEDULE; AND PROVIDING THAT THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY UPON ITS ADOPTION AND DEPOSIT WITH THE CITY RECORDER.

WHEREAS, the City Council finds that at a regularly scheduled meeting of the City Council of South Ogden City, held during May, 2017, under the Uniform Fiscal Procedures act for Utah Cities, Utah Code ("UC") §10-6-101, et. seq., as amended, the City Manager submitted to the City Council of South Ogden City the proposed Operating Budget; Capital improvements Budget; Enterprise Funds Budgets; and the Water, Sewer, and Garbage Budgets, and his budget message, including certain changes that should be made to the city's consolidated fee schedule, all for the fiscal year of July 1, 2017 to June 30, 2018, as required by the statute; and,

WHEREAS, the City Council finds that in conformance with UC §10-3-818, upon its own motion, and as part of its budget adoption process, the City Council has reviewed and considered the compensation of each of the officers of the city together, including but not limited to elected and appointed officials, with each salary schedule applicable to each of the officers of the city, to determine whether the compensation rates or schedules as existing and as proposed should be adopted, changed, or amended; and,

WHEREAS, the City Council finds and has determined that certain compensation or compensation schedules should be adopted, changed, or amended; wherefore, in compliance with applicable law, it set a time and place for a public hearing at which all interested persons were given an opportunity to be heard, said hearing having been held at a regularly scheduled meeting of the City Council and as otherwise required by statute; and,

WHEREAS, the City Council finds that the notice of the time, place, and purpose of the public hearing to consider the tentative budget, and all of its schedules, changes, and recommendations, including compliance with the state's "Truth in Taxation" notice requirements, was published on at least seven days prior thereto by publication, and as otherwise required by statute, at least once in the *Ogden Standard – Examiner*, it being a newspaper published in the county within which the municipality is situated and circulated in the municipality; and,

WHEREAS, the City Council finds that under law, after the conclusion of the aforesaid public hearing, the Council may enact an Resolution fixing, changing, or amending the

compensation of any elective or appointive officer of the municipality or adopting a compensation schedule applicable to any officer or officers; and,

WHEREAS, the City Council finds that the said proposed or tentative budget or acting budget and all supporting schedules having been received by the Council during a regular City Council meeting, and as otherwise required by statute, the required public hearing thereon was initially fixed to be held during a regularly scheduled City Council meeting at approximately 6:00 o' clock P.M., during a regularly scheduled City Council meeting held within the timeline requirements of applicable law, those proposed budgets having, as required, more than ten (10) days prior to the public hearing, been deposited with the city Recorder as a public record where they have remained until this date; and,

WHEREAS, the City Council finds that UC §10-6-118, as amended, requires that before the 22nd day of June each year, or August 16th, as is the case this year since the budget contemplates enacting a property tax increase under UC §59-2-919 through §59-2-923, the City Council shall by resolution or ordinance, adopt a budget for the ensuing fiscal year for each fund for which a budget is required; and,

WHEREAS, the City Council finds that after due publication of notice at least seven (7) days prior thereto, which notice was published in the *Ogden Standard Examiner*, the City Council held a public hearing on the budget which public hearing commenced at approximately 6:01 P.M.

WHEREAS, the City Council finds that the City Council considered for adjustment the City Manager's recommended or tentative budget, including recommendations for changes to the city's consolidated fee schedule, and made those adjustments detailed in **Attachment "A"**, attached hereto, said adjustments having been open for consideration at the public hearing on the budget, said hearing having been held and the same items and matters having been subject to review and comment by the Council at one of its public meetings as noted; and,

WHEREAS, the City Council finds that the adopted budget, contains a revenue appropriation amount for the General Fund for anticipated property tax revenues and confirms that such revenue statement shall conform to the Weber County Clerk Auditor's projections at the current certified tax rate, either as that tax rate has been proved to the City; or, if the certified tax rate has not yet been provided by the Clerk Auditor of Weber County shall ultimately be received; and,

WHEREAS, the City Council finds that all conditions precedent to the adoption of the final budget which includes the employment staffing document, employee compensation schedules, and elected and statutory officials compensation schedules, have been accomplished; and,

WHEREAS, the City Council finds that it is appropriate, as part of its budget adoption process, to readopt the City's Administrative Code as constituted, and as it may have been amended since its last adoption, and having considered the contents thereof;

NOW, THEREFORE, Be it Resolved by the City Council of South Ogden City as follows:

SECTION 1. Findings of Governing Body. The City Council finds that the budget aforesaid, comprising the Operating Budget; Capital Improvements Budget; Enterprise Funds Budgets, including the determination – following the required public hearing – that the City will not charge itself for its own utility service use; Changes to the City's Consolidated Fee Schedule; Personnel Schedules, identifying the classification and pay plan for employment positions for each department including certain Non-Merit Special employee positions, and elected and statutory officials' compensations schedules, as the budget and schedules have been adjusted and amended as depicted and detailed in **Attachment "A"**, attached hereto and incorporated by this reference as if set out fully, is adopted, with all identified funds and allocations thereto created, re-created, or reaffirmed and made the official budget of South Ogden City for the fiscal year of July 1, 2017 to June 30, 2018.

That the City's Administrative Code, as amended, and as it is constituted as of the effective date of this Resolution is reaffirmed and readopted.

The Certified Tax rate, as provided by Weber County is acknowledged to be and is accepted as .0029.

The Utility Rates and Franchise Fees set out in the adopted budget will become effective as of September 1, 2017.

The Road Improvement Fee set out in the adopted budget will become effective as of January 1, 2018.

SECTION 2. Effective Date. This Resolution shall take effect immediately upon its adoption, posting, and deposit with the City Recorder, who shall forthwith certify a copy thereof to the City Manager. A copy of the final budget for each fund shall also be certified by the City Recorder shall be filed with the state auditor within 30 days after adoption of this Resolution..

SECTION 3. Publications. No publication of this Resolution is required.

PASSED AND ADOPTED AND ORDERED POSTED by the City Council of South Ogden City, Utah this 15th day of August, 2017.

SOUTH OGDEN, a municipal corporation

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by: _____
James F. Minister, Mayor

Attested and recorded

Leesa Kapetanov, CMC
City Recorder

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Attachment B

List Referred To By Mayor Minster in Reports

2017 Road Project Proposals

Adams Ave(Edgewood Dr to 44th Street)
1516' x 42' = 63672 Sqft * 9 = 7,075 Sqyd
curb 531'

Pulverize 12 inches deep. Remove excess material.
Place 4 inches of new asphalt on 8 inches of base material.
Add 531 feet of new curb and gutter on west side of road.

Eastwood Blvd(Wasatch to Village way)
1517' x 36' = 54,612 * 9 = 6,068
Eastwood Blvd(Village way to City boundary)
922' L X 36' W = 33,192 Sqft * 9 = 3,688 Sqyd

Mill down 2 inches from Wasatch Drive to village way.

Pulverize 12 inches deep. Remove excess material.
Place 4 inches of new asphalt on 8 inches of base material.

1475 E. (5600 S to Highway 89)
1538' x 42' = 64,596 Sqft * 9 = 7,177 Sqyd

Mill down 2 inches. Overlay with new asphalt.
Dig and fix softspots.

1050 E(Highway 89 to 5875 S)
2733' x 42' = 114,786 Sqft * 9 = 12,754 Sqyd

Pulverize 12 inches deep. Remove excess material.
Place 4 inches of new asphalt on 8 inches of base material.

Palmer Dr(Park to 40th)
772' x 36' = 27,792 Sqft * 9 = 3,088 Sqyd

Full mill, new asphalt 4 inches thick.

41st(Madison ave to Adams Ave)
1487 x 32' = 47,584 Sqft * 9 = 5,287 SqYd

Mill down 2 inches along the edges between Jefferson and Madison.
Overlay middle and edges in milled section.
Pulverize 12 inches-Adams to Jefferson. Remove excess material.
Place 4 inches of new asphalt on 8 inches of base material.